

# EXHIBIT V

**DECLARATION OF** [REDACTED]

I, [REDACTED], declare as follows:

1. I am the President of the Board of the [REDACTED] [REDACTED], which is a 501(c)(3) organization. The [REDACTED] is a member of Plaintiff National Council of Nonprofits.

2. The [REDACTED]'s mission is to promote an equitable, accessible, environmentally sustainable and economically vibrant food system in Rhode Island. We do that by creating partnerships and programs across the entire food system that enhance food businesses, environmental sustainability, and access to food for all Rhode Islanders. The [REDACTED] works with the state Department of Health to support Food Is Medicine related initiatives, collaborates with the state Department of Commerce to create and implement the state's food strategy, leverages work done by the state Department of Environmental Management to provide programs for farmers and fisherpeople, provides technical assistance to small farmers and small businesses, and advocates for policy in alignment with its mission as directed by its members.

3. Last year, the [REDACTED] acted as lead applicant in a successful grant application with the Environmental Protection Agency. This project included nine subawardees, including two municipalities, three community-based organizations, and four other nonprofit organizations. The project takes a multilevel approach to food waste reduction, donation and recycling. By engaging many collaborators, the project was designed to decrease the food wasted within schools, businesses and

homes, increase donations from food businesses to non-profits and increase both the capacity for compost processing and participation in these programs. This includes direct technical assistance for schools and businesses, training community members, setting up local and centralized composting options, and community outreach.

4. There are several nonprofit organizations and small businesses in Rhode Island that collect food scraps, and they've proven that these composting programs can be effective. But they have limited capacity. Only one commercial-scale composting facility exists in the state. This project would grow capacity exponentially through 37 food waste collection stations (15 community-based and 22 school-based) and nine new composting sites (7 small, 1 medium, 1 large).

5. The project will support workforce development and new community leadership opportunities, create high-quality jobs, build community engagement in environmental- and climate-related issues, and reduce wasted food, which will, in turn decrease methane outputs; increase food donation rates to food security organizations; and establish stronger, more climate resilient local farming, landscaping, and gardening practices.

6. The following impacts were estimated by [REDACTED] and partners:

- 206 [REDACTED] members and peer educators identified and trained to lead resident and business engagement, provide

behavior change education, and participate in communal food recovery efforts

- 343 businesses, schools, and other organizations engaged
- 23,166 residents engaged
- 582 people trained for the circular economy
- 36 direct jobs created / maintained
- 32 construction jobs created / maintained
- 15,825 households participating in composting
- 15 food waste collection stations installed (in addition to sites at 22 schools)
- 2,477 tons surplus food recovered and donated
- 8,708 tons food scraps composted
- 11,185 tons total of food waste diverted from landfills
- 9 composting sites/facilities built or upgraded (7 small, 1 medium, 1 large)
- 5,500 tons new compost processing capacity / year from the medium and larger sites alone
- 26 school and community gardens built or upgraded that receive free finished compost
- 4,354 tons of finished compost produced
- 15,265 Metric Tons of CO<sub>2</sub> Equivalent reduced
- 12,896.5g particulate matter reduced
- 569 million gallons water conserved

7. EPA awarded us around \$18.7 million over three years. These funds were appropriated under the Inflation Reduction Act.

8. Our work started on January 1, 2025. We had a signed contract with the EPA, and had our first coalition meeting to get everyone kicked off on January 13, 2025.

9. On January 28, 2025 we received an official communication from EPA saying that the project and funds were paused. The first time that we were unable to access funds because the ASAP portal was frozen was on January 29, 2025. Funds have been frozen/suspended and then unfrozen/open a few times. We were able to bill for \$23,195.70 for January expenses on February 10, 2025 and draw down an advance for equipment of \$9,416.30 on March 4, 2025. We have not been able to access funds since March 4, 2025.

10. After the freeze, we ultimately had to tell everyone to stop work, because we did not know if funds to reimburse expenses would become available. The way our grant is structured is that we and our grant partners have to pay costs up front, and then get reimbursed, so if we can't draw down from our grant as we expect, then we are out that money that we fronted.

11. As a result of the freeze, most of our work on this project will not continue unless or until the grant is officially unpaused. We and many of our partners have had to pause hiring, selecting contractors from RFPs, and most of the work.

12. The [REDACTED] was planning to hire three full-time employees to run this project. We had started the search, but not yet hired anyone, when the funds were frozen. Nearly 50 applications were submitted for these three jobs. All applicants were told that the process had been postponed, and that we would contact them if/when it was possible to move forward again.

13. Although these three new employees would have been focused on this new project, their presence would also have created meaningful efficiencies of scale for our current employees. We currently have two full-time employees working on a state-level organic waste plan that includes composting and waste diversion—in other words, the same problem, but from a different angle. Two of the new hires' work would have created efficiencies and lessons that we would pull into the state-level plan, which we now cannot make up for, while the other hire would have been responsible for ensuring we remained compliant with EPA financial, reporting, procurement, and other administrative requirements.

14. While the funds are frozen, and we cannot undertake our planned work, the landfill continues to fill up. Once wasted food is dumped in a landfill, you can't claw it back.

15. Not only is our landfill rapidly filling, but organic waste itself produces a lot of methane, which is a known contributor to global warming. It has a real environmental impact for state air quality. Our project was expected to divert 11,000 tons of food waste from the landfill, eliminating over 15,000 tons of CO<sub>2</sub>

equivalent from the atmosphere. But while the funds are frozen, those emissions will continue. And you can't claw those back, either.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 17, 2025.

A black rectangular redaction box covering the signature, with a horizontal line extending to the right.